

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON DECEMBER 07, 2005, AT 6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS.

Members Present: Jim Keane, Geoff Armstrong, Gordon Nicholl, Tom Bowen, Sue Ryser, Amy Rosevear, Jerri Harwell

Staff Present: Community Development Director Kevin Smith, Planning Manager Michael Black, City Attorney Shane Topham, Deputy Recorder Sherry McConkey

Members Excused: Doug Haymore, Joann Frost

Others Present: Jake Beverley, Kenneth Black, George Beverley, Steve Hopkins

Chair Bowen called meeting to order at 6:00 p.m.

6:00 P.M. Regular Meeting

1.0 Public Comment

No public comment was given.

2.0 Public Hearing – Residential and Mixed Use Zones

Public hearing portion opened at 6:01:06.

No public comment was given.

Public hearing portion closed at 6:01:16.

Michael Black explained that for the last several months the Planning Commission has looked at several options and has now decided to bridge the two. Staff proposed this item be postponed until the next meeting on January 4th, 2006.

Motion to continue was made by Gordon Nicholl, seconded by Jim Keane and carried unanimously on voice vote.

3.0 Public Hearing – Gateway Overlay District

Public hearing portion opened at 6:02:53.

No public comment was given.

Public hearing portion closed at 6:02:56.

Michael Black spoke about the promenade style lighting that has been previously discussed is not a good light for streets and the staff would like to recommend a new style tear drop light with a bell on the bottom. These lights have a banner side and a pedestrian light post as well. Jim Wadley made a demo of what the streets would look like if this type of light was used. Hall of Fame is the distributor for these lights and Utah Power would actually service these lights for free.

Amy Rosevear moved to forward a positive recommendation of the amendment to the Gateway Overlay Zone which adds Gateway Design Guidelines to the City Council approve. Motion was seconded by Jerri Harwell and passed unanimously on voice vote.

4.0 Public Hearing – Bus Bench Advertising
Public Hearing portioned opened at 6:18:44.

No public comment was given.

Public hearing portion closed at 6:18:47.

Gordon Nicholl made the motion to approve the Bus Bench Ordinance as amended in the last paragraph and recommend it to move to the City Council for approval.

Kevin Smith will take out reference to receiving a letter of approval from UTA.

No second was made and motion died on the floor.

Jim Keane would like to see a reference to no advertising in the ordinance, Tom Bowen and Geoff Armstrong agreed with Jim Keane

Gordon Nicholl made a motion to approve the ordinance as amended and refer it on to the City Council. Motion was seconded by Sue Ryser and passed unanimously by voice vote.

Jim Keane asked if the staff had seen the letter drafted by Chair Bowen to express the thought of the commission. Staff had not seen this letter and a copy was produced and copied for staff and a copy will be forwarded to the Council.

Jim Keane made a motion to pass on the attached letter to the City Council that expresses the planning commissions desire to have no advertising on bus benches and shelters and that the bus benches are paid for by private donation or sponsorship and that they comply with the theme of the gateway design. Motion was seconded by Amy Rosevear.

Discussion of the motion brought up a point of view by Amy Rosevear who would like the council to know that if they decide to keep Section E in the ordinance that the size should be decreased.

Chairman Tom Bowen would like the record to show that Doug Haymore is a supporter of having the private sector provide the bus benches and shelters.

Gordon Nicholl would suggest a small plaque be placed if the benches are received by private donation.

Motion passed by unanimous voice vote.

5.0 Public Hearing – O.R.D. Zone

Public hearing portion opened at 6:40:41.

Public Comment Steve Hopkins 6322 S 3000 E., Old Mill Corporate Center, voiced his approval of this ordinance.

Public hearing portion closed at 6:43:11.

Mr. Black gave an overview of the ordinance and stated that staffs recommendation is to allow for the Planning Commission to hear from a developer or interested party to change the setbacks in this zone from 50 feet to 25 feet if it determined that it does not harm the public health safety welfare or morale of the community in general. The reason staff is recommending 25 feet is because 20 feet is too small. Mr. Black mentioned that there was an issue with the noticing of this item and that it is necessary to re-notice this hearing for the first meeting in January due to the conditional use portion of the notice being inadvertently left off.

Public hearing reopened at 6:46:40

Steve Hopkins spoke of the change in to the setbacks and how this was a surprise to him. Mr. Hopkins asked if it would be possible to separate the two issues, and forward the one up to the Council so it does not delay his project unnecessarily.

Public hearing closed at 6:52:44

The majority of commission members wanted to vote tonight and see how it comes out.

Amy Rosevear made a motion to forward a positive recommendation for the adjustability of setbacks in the ORD zone as set forth in the staff report with the exception that no violations of other city ordinances is included and support the proposed setback requirements.

Seconded by Jerri Harwell and failed to pass with Jerri Harwell and Amy Rosevear voting in favor and Gordon Nicholl, Tom Bowen, Jim Keane and Sue Ryser voting opposed.

The Planning Commission determined that a special meeting should be held to cover this issue before the first of the year. This meeting will be held on December 15th at 5 p.m.

6.0 Public Hearing – Rural Residential Zones – RR-1-43 and RR-1-21

Public hearing portion opened at 7:23:24.

No public comment was given.

Public hearing portion closed at 7:23:25.

Michael Black led a presentation on these zones and answered questions from the commission.

Sue Ryser made motion to adopt the rural residential review with the change in section D, 19.20.090 to change the maximum height up to 30 feet. Motion was seconded by Amy Rosevear and passed by unanimous voice vote.

7.0 Action Item – Old Mill II Amended Conditional Use

Public hearing portion opened at 7:24:30.

No public comment was given.

Public hearing portion closed at 7:24:31

Michael Black led a discussion on this item and answered questions from the commission.

Amy Rosevear made the motion to approve the amended conditional use permit for Old Mill II with the conditions as set forth in the staff report dated December 7, 2005 with the exception that #6 read chillers must be enclosed and shielded adequately as approved by staff. The motion was seconded by Geoff Armstrong and passed by unanimous vote.

8.0 Approval of Planning Commission Meeting Schedule

Amy Rosevear made a motion to approve the meeting schedule as amended. Motion was seconded by Jim Keane and passed unanimously on voice vote.

9.0 Approval of Minutes

Jim Keane made the motion to approve the minutes as amended. Motion seconded by Amy Rosevear and passed unanimously on voice vote.

10.0 Other Business – (Reports by Commissioners)

11.0 Community Development Directors Report

Kevin Smith gave an update on the last City Council meeting and other projects taking place in the Community Development department.

12.0 Adjourn

Motion to adjourn made by Jim Keane and seconded by Geoff Armstrong and passed unanimously by voice vote.

Meeting adjourned at 8:09:39 p.m.